S.B.Civil Second Appeal No.193/1994

Inder Chand Nai. vs. LRs. of deceased Jeevraj Nai.

Date : 28.5.2007

HON'BLE MR. PRAKASH TATIA, J.

Mr.GL Khatri, for the appellant.
Mr.NS Rathore, for the respondent.

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Both the parties have submitted a written compromise which has been verified by Dy. Registrar (Judicial) on 23.5.2007. As per the compromise, in a suit for possession, the appellant/plaintiff got the possession of the suit property from the respondent/ defendant and the plaintiff has paid Rs.2 lakhs to the defendant on 30.10.2006 and the plaintiff agreed that he will pay Rs.30,000/- after the decision of the present appeal no.193/1994.

Since in the suit for possession, the plaintiff got possession of the suit property in pursuance to the compromise, now no relief can be granted to the appellant in this appeal as the entire relief which has been claimed by the plaintiff has been obtained by him by amicable settlement.

In view of the above, this second appeal is dismissed as having become infructuous as no relief can be granted because of the reason that the plaintiff got the entire relief.

(PRAKASH TATIA), J.

S.Phophaliya